

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/989,739	HINCHEY ET AL.	
	Examiner	Art Unit	
	Cathy K. Worley	1638	

All Participants:

Status of Application: Allowed

(1) Cathy K. Worley.

(3) _____

(2) Robert E. Hanson.

(4) _____

Date of Interview: 9 June 2006

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

112 1st paragraph and 102(e) over Muhitch et al.

Claims discussed:

All

Prior art documents discussed:

Muhitch et al.

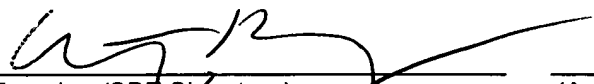
Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: In an earlier conversation on June 1st, 2006, the Examiner indicated that the Applicant's disclosure of methods for screening for promoter activity in fragments of the disclosed sequence was enabling in light of the Applicant's arguments that such experimentation is routine. The Examiner indicated that the nucleic acids taught by Muhitch et al. would hybridize to the nucleic acids of the instant application, however, the nucleic acids taught by Muhitch et al. did not comprise 400 contiguous bases of SEQ ID NO:18. The Attorney pointed out that the nucleic acids taught by Muhitech et al. did not comprise 250 contiguous nucleotides of SEQ ID NO:18, and suggested amending the claims to have the limitation of at least 250 contiguous nucleotides of SEQ ID NO:18. The proposed amendments were approved by the attorney on June 9, 2006.